

REMARKS

Claims 1-20 were presented for examination. The Office Action mailed July 29, 2009 rejects claims 1-20. Applicants herein amend claims 1, 2, and 16. Claims 6 and 17 have been cancelled. Claims 1- 5, 7 – 16, and 18 - 20 remain pending in the application.

Specification

The specification has been amended to define the term “non-transitory computer useable medium”. No new matter has been added, since the term “non-transitory computer useable medium” was previously included in the specification – specifically as it was used in the claims – and is a well know term to those skilled in the art.

Rejection of Claims 1- 7, 9, and 11 – 20 under 35 U.S.C. §103(a)

The Office Action rejected claims 1-7, 9, and 11-20 under 35 U.S.C. §103(a) as being unpatentable over US Patent Publication No. 2003/0172113 A1 to Cameron et al. (hereinafter “Cameron”) in view of US Patent Publication No. 2004/0230598 to Robertson et al. (hereinafter “Robertson”) and US Patent No. 7,092,977 to Leung et al. (hereinafter “Leung”). To the extent the rejection remains applicable to pending claims 1 – 5, 7 – 16, and 18 – 20, Applicants respectfully traverse this rejection because the cited references, whether taken alone or in combination, do not teach or suggest every claimed element and limitation of Applicants’ invention.

Applicants' invention, as now set forth in representative claim 1, recites a method for synchronizing a client having a client database with a server having a server database. The method comprises the steps of:

“calculating at the server, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance relative to other documents of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server database;

initiating a synchronization task at one of the clients, the synchronization task for updating documents in the client database to match documents in the server database, the synchronization task specifying a threshold value that indicates the document score value for a document to be synchronized, and identifying the server and the server database for synchronization;

sending from the identified server and server database to the client a list of server documents produced based upon a comparison of the threshold value to the document scores; and

sending from the client to the identified server a fetch list based upon the list of server documents;

transmitting one of the documents in the server database to the client based on the fetch list.”

Cameron is offered for its teaching of synchronizing documents between a client with a server. But as the Office Action admits, Cameron fails to teach any of the further claimed elements, including calculation of a document score or threshold.

The Office Action asserts that Robertson teaches the claimed document score. In accordance with the Applicants' claimed invention, each document score is indicative of whether the respective document should be synchronized between the respective client and server database. The Office Action refers to paragraph 20 of Robertson discussing new documents, and

paragraph 49, lines 16-20 “as profile score field which stores the score that indicates how well the terms in the document associated with the profile scoring field match the terms in the user profile and paragraphs 20 lines 15 – 19, sending document to user).

The Applicants first note that what is referred to at paragraph 49 is a “profile score” – what is updated is user profile information, not information “designating importance relative to other documents”. Furthermore, these profile scores are used to send documents, or notification of the existence of documents, to users based on user profile status, – they are not used for synchronization between client and server databases as claimed. (See Robertson [0061] – [0063]). Thus, Cameron and Robertson, taken together or in part, fail to teach or suggest at least the claimed steps of “calculating at the server, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance relative to other documents of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server database; and “initiating a synchronization task at one of the clients, the synchronization task for updating documents in the client database to match documents in the server database, the synchronization task specifying a threshold value that indicates the document score value for a document to be synchronized, and identifying the server and the server database for synchronization”.

The Office Action does admit that Cameron and Robertson fail to teach a threshold value that indicates a document score value for a document to be synchronized, each document score indicative of whether the document should be synchronized, and comparison. But the Office

Action asserts that Leung does teach a threshold value (file size) that indicates the document score value for a document to be synchronized. The Applicants disagree.

Leung discloses a system for choosing a storage device out a plurality of devices for storing data. Leung identifies placement rules for selecting storage devices. (Leung claim 1). Various characteristics of documents are evaluated, including file size, in determining where to store the document, which is not unusual in the prior art. This information is merely used to select a location for storage.

What Applicants are claiming, however, is a method of calculating at the server.. a document score ... indicative of whether the document should be synchronized between the client and server database; initiating a synchronization task at the client .. specifying a threshold value that indicates the document score value... and ultimately sending the document back from the server to the client based on a comparison between the threshold value and the document score in order to synchronize documents between the server and client. Thus, the simple file size “threshold”, and other information of Leung, used to select a location for storage, fails to teach or suggest the Applicants’ claimed method including the steps of calculating at the server, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance relative to other documents of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server database; and “initiating a synchronization task at one of the clients, the synchronization task for updating documents in the client database to match documents in the server database, the synchronization task specifying a threshold value

that indicates the document score value for a document to be synchronized, and identifying the server and the server database for synchronization.”

Finally, in accordance with the Applicants’ invention as now set forth in exemplary Claim 1, the claimed method includes the steps of “sending from the identified server and server database to the client a list of server documents produced based upon a comparison of the threshold value to the document scores; “sending from the client to the identified server a fetch list based upon the list of server documents; and “transmitting one of the documents in the server database to the client based on the fetch list.”

None of Cameron, Robertson, or Leung teaches or suggests these steps. Thus, no combination of Cameron, Robertson, or Leung can teach or suggest the Applicants’ invention as claimed.

For the reasons above, Applicants submit that Cameron, Robertson and Leung, either alone or in combination, do not teach or suggest every element and limitation of independent claim 1 as now set forth. Thus Applicants respectfully request that the rejection of claim 1 be withdrawn. Independent claim 16 recites language similar to that of claim 1, and therefore is allowable for at least the reasons provided with respect to claim 1. Dependent claims 2-5, 7, 9, 11-15, and 18-20 depend directly or indirectly from one of the patentable independent claims, and incorporate all of the limitations of the respective independent claim. Thus these dependent claims are patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims and Applicants respectfully request withdrawal of the rejection of these dependent claims.

Rejection of Claims 8 and 10 under 35 U.S.C. §103(a)

The Office Action rejects claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over Cameron, Robertson and Leung, and further in view of US Patent Publication No. 2005/0071741 to Acharya et al. (hereinafter “Acharya”). The Office Action uses the disclosure of Acharya for the purpose of showing the additional limitations recited in these dependent claims. Regardless of whether or not Acharya shows such limitations, Applicants submit that Acharya does not teach or suggest the limitations of claim 1 described above as missing from the other cited references. Thus Applicants submit that dependent claims 8 and 10 are allowable over the cited references for at least those reasons set forth above with respect to claim 1 and Applicants respectfully request withdrawal of the rejection of these dependent claims.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003, or at mobile number (617) 901-6786.

Respectfully submitted,

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